

RESOLUTION NUMBER R- 312496

DATE OF FINAL PASSAGE JUN 06, 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE PROPOSED USES OF THE SECOND INSTALLMENT OF \$250,000,000 OF THE SUBORDINATED WATER COMMERCIAL PAPER PROGRAM AND ACTIONS IN CONNECTION THEREWITH.

WHEREAS, the Joint Exercise of Powers Agreement, dated as of May 14, 1991, as amended and restated as of January 11, 1999, further amended and restated on October 29, 2002, and further amended and restated as of January 1, 2013, by and among the City of San Diego, California (City), the City solely in its capacity as the designated Successor Agency to the former Redevelopment Agency of the City of San Diego and the Housing Authority of the City of San Diego (Housing Authority), establishes the Public Facilities Financing Authority of the City of San Diego (Authority), a California joint exercise of powers authority duly organized to provide financial assistance to the City; and

WHEREAS, the San Diego Facilities and Equipment Leasing Corporation (Corporation) is a nonprofit public benefit corporation duly organized and existing under and by virtue of the laws of the State of California (State) that was incorporated to provide financial assistance to the City; and

WHEREAS, on December 16, 2016, San Diego Resolution R-310860 (Resolution) was approved authorizing the establishment of the Water Utility Commercial Paper Program (Program) to provide for the issuance from time-to-time of up to \$250,000,000 aggregate principal amount to (i) provide short-term financing for the design, acquisition, construction, installation, and improvement of components of the City's water system (Water System), so long as each such financing achieves a true interest cost not to exceed the lesser of eleven percent (11%) or the maximum rate per annum permitted by law, (ii) reimburse the City for eligible

expenditures in accordance with the herein described Reimbursement Resolution, and (iii) pay costs of issuance incurred in connection with the issuance of tax-exempt governmental subordinated water revenue commercial paper notes from time to time in one or more series or subseries (Commercial Paper Notes); and

WHEREAS, outstanding principal of Commercial Paper Notes is periodically paid down with long-term bonds or loans, which then become the permanent financing source for the Projects initially funded by the Program, thereby resetting the total capacity of the Program to issue Commercial Paper Notes for new Projects; and

WHEREAS, this Resolution will authorize the interim financing of the second installment of Projects utilizing Commercial Paper Notes up to an amount not-to-exceed \$250 million, in the following categories and as more fully delineated in the related Staff Report: Pure Water Program Phase 1, water pipeline projects, water pipeline transmission projects, water pump station projects, water storage projects, water treatment plant projects, recycled water projects and miscellaneous projects; and

WHEREAS, by Resolution Number R-309971 enacted on September 24, 2015 and Resolution Number R-311748 enacted on May 22, 2018 (collectively, the Reimbursement Resolution), the City Council declared its intent to use proceeds of indebtedness to reimburse itself for eligible Project expenditures in accordance with section 1.150-2 of Treasury Regulations; and

WHEREAS, the City is authorized to undertake the actions described in this Resolution pursuant to its Charter and the Constitution and applicable laws of the State of California; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

Section 1. The City Council hereby finds and determines that the statements set forth above in the recitals to this Resolution are true and correct.

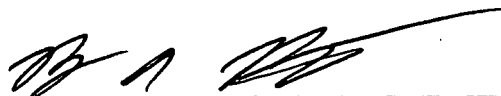
Section 2. The City Council hereby finds that continuing to finance components of the Water System with Commercial Paper Notes under the Program will provide significant public benefits in accordance with the criteria specified in California Government Code Section 6586.

Section 3. The City Council hereby authorizes and approves the interim financing of the second installment of Projects utilizing the Program up to the original not to exceed amount of \$250 million, for Projects to be allocated within categories such as Pure Water Program Phase 1, water pipeline projects, water pipeline transmission projects, water pump station projects, water storage projects, water treatment plant projects, recycled water projects, and miscellaneous projects.

Section 4. All actions heretofore taken by any officers, employees, or agents of the City with respect to the issuance, delivery, or sale of the Commercial Paper Notes are hereby approved, confirmed and ratified.

Section 5. This Resolution shall take effect immediately upon its adoption.

APPROVED: MARA W. ELLIOTT, City Attorney

By: 
Bret A. Bartolotta
Deputy City Attorney


BAB:jdf
5/20/19
Or.Dept.: Debt Mgmt.
Doc. No.: 1968369

I hereby certify that the foregoing Resolution was passed by the City Council of The City of San Diego, at this meeting of JUN 04, 2019.

ELIZABETH S. MALAND
City Clerk

By: 
Deputy City Clerk

Approved: 6/6/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 04 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 06 2019.

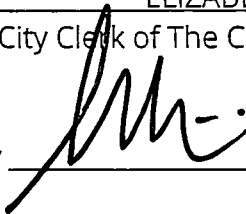
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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